

# SENATE BILL No. 106

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-25-4-22; IC 33-39-2-8.

**Synopsis:** Child support and credit reports. Prohibits a prosecuting attorney or Title IV-D agency from reporting a person's child support payment plan arrearage to a consumer reporting agency if the person is less than five weeks in arrears. Provides that if a person has made all payments required under a child support payment plan for at least six months, the prosecuting attorney, deputy prosecuting attorney, or Title IV-D agency shall: (1) contact the consumer reporting agency to update the person's payment information; and (2) upon request, submit a statement from the person that a payment plan has been established and the person is complying with the payment plan.

**Effective:** July 1, 2015.

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January 6, 2015, read first time and referred to Committee on Civil Law.

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First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 106

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 31-25-4-22, AS ADDED BY P.L.145-2006,  
2 SECTION 271, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2015]: Sec. 22. The bureau shall establish  
4 procedures for providing information to a consumer reporting agency  
5 (as defined by the federal Fair Credit Reporting Act (15 U.S.C.  
6 1681a(f))) concerning the amount of overdue support owed by a parent.  
7 Information provided under this section must be provided in  
8 accordance with:  
9 (1) federal statutes and regulations governing the Title IV-D  
10 program (42 U.S.C. 651); and  
11 (2) to the extent not prohibited by federal statutes and  
12 regulations governing the Title IV-D program, IC 33-39-2-8.  
13 SECTION 2. IC 33-39-2-8 IS ADDED TO THE INDIANA CODE  
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
15 1, 2015]: Sec. 8. (a) As used in this section, "child support payment  
16 plan" means a payment plan for child support established by court



1 order, by a Title IV-D agency, or by an agreement with a  
2 prosecuting attorney or a Title IV-D agency.

3 (b) As used in this section, "consumer reporting agency" has the  
4 meaning set forth in IC 24-5-24-3.

5 (c) As used in this section, "Title IV-D agency" has the meaning  
6 set forth in IC 31-9-2-130.

7 (d) A prosecuting attorney, a deputy prosecuting attorney, a  
8 Title IV-D agency, or any other person may not report a person's  
9 child support payment plan arrearage to a consumer reporting  
10 agency unless the person is the equivalent of at least five (5) or  
11 more weeks in arrears with respect to the person's child support  
12 payment plan.

13 (e) If a person whose child support arrearage or child support  
14 payment plan arrearage has been previously reported to a  
15 consumer reporting agency and the person has made all payments  
16 required under a child support payment plan for at least six (6)  
17 months, not later than fourteen (14) days from the date of the last  
18 payment, the prosecuting attorney, deputy prosecuting attorney,  
19 or Title IV-D agency shall:

20 (1) contact the consumer reporting agency and update the  
21 person's payment history with the consumer reporting agency  
22 to reflect the payments made; and

23 (2) upon request of the person, submit to the consumer  
24 reporting agency a statement from the person that:

25 (A) a payment plan has been established with respect to the  
26 arrearage; and

27 (B) the person has complied with the payment plan for at  
28 least six (6) months.

